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VIA ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Lively v. Wayfarer Studios LLC et al.*, No. 1:24-cv-10049 (LJL)

Dear Judge Liman:

On behalf of Blake Lively, we write pursuant to Rule 4.b of Attachment A to Your Honor's Individual Rules to respectfully request that the Court continue to seal Exhibit C to the Wayfarer Parties' letter in opposition to Ms. Lively's motion for a protective order (ECF No. 350-4). Exhibit C is Ms. Lively's Amended Initial Disclosures ("Initial Disclosures"), which Ms. Lively designated as "Confidential" pursuant to the Protective Order in place in this litigation (ECF No. 125). In an effort to protect the sensitive confidential information of third parties, many of whom may never be witnesses at trial, Ms. Lively requests that Exhibit C remain under seal in its entirety.

Courts in this Circuit routinely seal documents to protect third parties' sensitive confidential information. *See United States v. Amodio*, 71 F.3d 1044, 1050 (2d Cir. 1995) (when determining whether to seal documents, "the privacy interests of innocent third parties . . . should weigh heavily in a court's balancing equation") (quoting *Application of Newsday, Inc.*, 895 F.2d 74, 79–80 (2d Cir. 1990)). Ms. Lively's Initial Disclosures contain the names and contact information for dozens of individuals who have not been subjected to discovery in this action, and who likewise may lack any substantial involvement in this litigation. For the listed individuals who are not public figures—such as members of the Film's crew—the release of their names in the public may increase the risk of exposure to harassment in the press and/or social media, which closely follow and report on this action. The release of contact information for high-profile individuals additionally poses security and privacy risks.

The Court has previously recognized the uniquely public and media-driven nature of this case. *See* ECF No. 122 at 21:7–21, 54:20–21 ("This is a case as to which there has been a lot of public attention."); ECF No. 124 at 6 ("The details of this case have been closely followed in the media."). Under these circumstances, any limited legitimate interest the public may have in this discovery document is heavily outweighed by the countervailing interest in protecting the privacy interests of third parties. Indeed, this Court has explained that the sealing of "personally identifiable information

of third parties” is appropriate, particularly in “motions for discovery”—which “are ‘ancillary to the court’s core role in adjudicating a case’” so “the weight of the presumption of public access to these documents is low.” *See Adstra, LLC v. Kinesso, LLC*, 2025 WL 1002253, at *3 (S.D.N.Y. Mar. 31, 2025) (Liman, J.) (quoting *Brown v. Maxwell*, 929 F.3d 41, 50 (2d Cir. 2019)); *see also Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (recognizing the countervailing factor of privacy interests).

For these reasons, Ms. Lively respectfully requests ECF No. 350-4 remain under seal. The Wayfarer Parties have advised that they take no position on this motion.

Respectfully submitted,

/s/ Michael J. Gottlieb

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